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**Birch, Stewart, Kolasch & Birch, LLP**X RECEIVED  
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TCC 1700**Fax**

To:	COMMISSIONER FOR PATENTS	From:	SANFORD ASTOR, ESQ.
Fax:	703 872-9310	Date:	July 18, 2003
Phone:	703	Pages:	31 (including cover sheet)
Your Ref.:	A02 131904C/KT	Our Ref.:	0649-0777US
Re:	Application of Akira Saito, et al	cc:	
	U.S. Patent Appl. No. 09/856,845		
	For RUBBER COMPOSITIONS		

☐ Urgent☒ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

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Comments:

Practitioner's Docket No. 649-777P

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Akira Saito et al

Application No.: 09/856,845  
Filed: 10/29/2001  
For: RUBBER COMPOSITIONS

Group No.: 1714  
Examiner: K.W. Lee

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## 37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

## 37 C.F.R. § 1.10\*

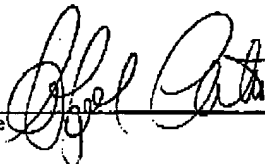
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(mandatory)

## TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (703) 872-9310

Signature



Date: 07/18/2003

SANFORD ASTOR

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	25	-	23	= 2	x \$ 18.00	= \$	36.00
INDEP.	4	-	4	= 0	x \$ 84.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
				TOTAL			
				ADDIT. FEE		\$	36.00

Total additional fee for claims required \$36.00

#### FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$36.00 to Deposit Account No. 022448.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

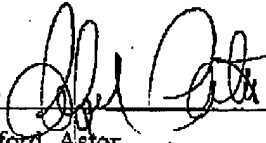
A duplicate of this paper is attached.

#### FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 022448.

If any additional fee for claims is required, charge Account No. 022448.

Date: 07/18/2003

  
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Patent  
0649-0777P

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IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Akira SAITO et al.

Appl. No.: 09/856,845

Art Unit: 1714

Filed: May 25, 2001

Examiner: Katarzyna Wyrozebski Lee

For: RUBBER COMPOSITIONS

INTRODUCTORY COMMENTS

This is in response to the Office Action dated 04/18/2003.

The Examiner has pointed out that claims 16-23 have been withdrawn from further consideration as being drawn to a non-elected Group II. Election was made without traverse.

The Examiner has rejected Claims 1-11 but has failed to refer to Claims 12-15. That appears to be a typographical error, and Applicant will assume that the rejection is of Claims 1-15, not Claims 1-11. If this was not a typographical error, Applicants request a paper allowing Claims 12-15.

K:\SAITO\DOCS\Amendment 1.doc